

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 420, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 12-17.2-2-1 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. The division shall
- 5 perform the following duties:
- 6 (1) Administer the licensing and monitoring of child care centers
- 7 or child care homes in accordance with this article.
- 8 (2) Ensure that a national criminal history background check of
- 9 the applicant is completed through the state police department
- 10 under IC 5-2-5-15 before issuing a license.
- 11 (3) Ensure that a criminal history background check of a child
- 12 care ministry applicant for registration is completed before
- 13 registering the child care ministry.
- 14 (4) Provide for the issuance, denial, suspension, and revocation of
- 15 licenses.
- 16 (5) Cooperate with governing bodies of child care centers and
- 17 child care homes and their staffs to improve standards of child
- 18 care.
- 19 (6) Prepare at least biannually a directory of licensees with a
- 20 description of the program capacity and type of children served
- 21 that will be distributed to the legislature, licensees, and other
- 22 interested parties as a public document.

(7) Deposit all license application fees collected under section 2 of this chapter in the child care fund.

(8) Require each child care center or child care home to record proof of a child's date of birth before accepting the child. A child's date of birth may be proven by the child's original birth certificate or other reliable proof of the child's date of birth, including a duly attested transcript of a birth certificate.

(9) Provide, not later than January 1, 2004, an Internet site through which members of the public may obtain the following information:

(A) Information concerning violations of this article by a licensed child care provider, including:

(i) the identity of the child care provider;

(ii) the date of the violation; and

(iii) action taken by the division in response to the violation.

(B) Current status of a child care provider's license.

(C) Other relevant information.

The Internet site may not contain the address of the child care center or the child care home. However, the site may include the county in which the child care provider is located."

Page 2, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 3. IC 12-17.2-5-6.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6.5. (a) To qualify for a license to operate a class II child care home under this chapter, a person must do the following:

(1) Provide all child care services on the first story of the child care home unless the class II child care home meets the exceptions to the first story requirements contained in the Indiana building code adopted by the fire prevention and building safety commission in effect at the time the class II child care home provider applies for licensure.

(2) Provide a smoke detection system that is:

(A) hard wired to the building's electrical system; and

(B) wired in a manner that activates all of the detector devices in the building when one (1) detector device is activated.

(3) Provide a fire extinguisher in each room that is used to provide child care services.

(4) Meet:

(A) the exit requirements for an E-3 building occupancy classification under the Indiana building code adopted by the fire prevention and building safety commission, **except for any illumination requirements**, in effect at the time the class

1 II child care home provider **initially** applies for licensure; **and**
 2 **(B) the illumination requirements established in section**
 3 **6.3(b)(2)(D) of this chapter.**

4 (5) Provide a minimum of thirty-five (35) square feet for each
 5 child.

6 (6) Conduct fire drills required under article 37 of the Indiana fire
 7 prevention code adopted by the fire prevention and building safety
 8 commission in effect at the time the class II child care home
 9 provider applies for licensure.

10 (7) Apply for a license before July 1, 1996, or after June 30, 2001.

11 (8) Comply with rules adopted by the division of family and
 12 children for class II child care homes.

13 (b) To qualify for a license to operate a class II child care home
 14 under this chapter, a person, before applying for the license, must have:

15 (1) a class I child care home license; or

16 (2) at least one (1) year of experience as a caregiver in a child care
 17 home or child care center."

18 Page 2, line 26, delete "(a)".

19 Page 2, line 28, delete "." and insert "**as follows:**

20 **(1) For a child who is less than eight (8) months of age, the**
 21 **child must be in the caregiver's hearing and line of sight at all**
 22 **times.**

23 **(2) For a child who is at least eight (8) months of age but less**
 24 **than two (2) years of age, the child must be in the caregiver's**
 25 **line of sight at all times, except that:**

26 **(A) the child may be asleep outside the caregiver's line of**
 27 **sight as long as the caregiver can hear the child; and**

28 **(B) the caregiver may attend to personal needs for not**
 29 **more than five (5) minutes as long as the caregiver assures**
 30 **for the safety of the child during that time.**

31 **(3) For a child who is less than five (5) years of age, the child**
 32 **may not be left inside the premises or outside the premises**
 33 **while in the care of the caregiver without supervision by the**

- 1 **caregiver."**
- 2 Page 2, delete lines 29 through 33.
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 420 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 10, Nays 0.

Senator Miller, Chairperson